

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: ASBESTOS PRODUCTS : Consolidated Under
LIABILITY LITIGATION (No. VI) : MDL DOCKET NO. 875
:

VARIOUS PLAINTIFFS

FILED

SEP 17 2013

Cases Identified In
EXHIBIT A
(attached)

v.

MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

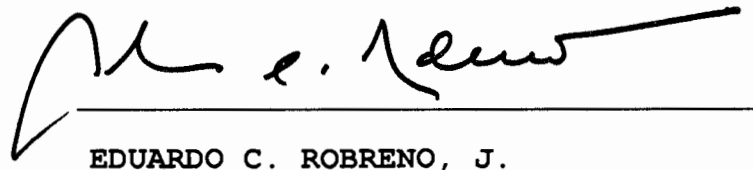
VARIOUS DEFENDANTS

RENEWED SCHEDULING ORDER

AND NOW, this **17th** day of **September, 2013**, Plaintiffs are hereby **ORDERED** to respond to the Court-ordered discovery requests (attached as Exhibit B) by **October 1, 2013**. No extensions of time will be granted for any reason. No supplements or amendments to the responses will be permitted for any reason. Plaintiffs may only identify witnesses (both fact and expert witnesses) - or other evidence - identified in opposition to the motions for summary judgment previously filed by Defendants in the action. With respect to expert reports, Plaintiffs are to re-submit to Defendants the report (as originally produced), and may provide an addendum to a report only if there is a new opinion based upon facts newly discovered after the September 4, 2013 hearing. Responses are to be filed electronically on the docket of the case by the date set forth above. In the event of a discovery dispute, the parties are to attempt first to resolve the dispute

between themselves, and then, if unsuccessful, are to contact Magistrate Judge Strawbridge, who will attempt to resolve the dispute informally. No discovery-related motions may be filed without prior approval of Magistrate Judge Strawbridge.

Depositions of fact witnesses are to be completed by **October 31, 2013**. Depositions of expert witnesses are to be completed by **November 14, 2013**. Motions for summary judgment are to be filed by **December 4, 2013**. Responses to those motions are to be filed by **January 3, 2014**. Replies (if any) are to be filed by **January 10, 2014**. Leave to file a surreply must be sought no later than three (3) days after the filing of a reply - and will only be granted in extraordinary cases. The parties are to include all arguments and appropriate evidence with their filing, without reference to (or incorporation of) the arguments or evidence set forth in previous summary judgment briefing in this case (or any other case). The parties are directed to include any request to have witness testimony (or other evidence) stricken in a response or reply brief - and are not permitted to file a separate motion for this purpose. The parties are hereby advised that counsel will be sanctioned for frivolous motions as appropriate.



EDUARDO C. ROBRENO, J.

Exhibit A

Case Number	Transferor District	Case Name
08-89372	IL-S	Mann v. Anchor Packing Company, The et al
08-89984	IL-N	Brigham v. A C And S, Inc. et al
08-90122	IL-N	Phyllis v. A.C.Ands., Inc. et al
08-90263	IL-N	Jackson v. Ac&S Inc et al
08-90264	IL-N	Nordberg v. A.B.B., Inc. et al
08-90268	IL-N	Centers v. A.W. Chesterton Company et al
08-90287	IL-N	Smith v. Catepillar Inc et al
08-92122	IL-C	Johnson v. A C & S Inc et al
08-92210	IL-C	O'Keefe v. Aga Gas Inc et al
09-60287	WI-W	Esser v. A. C. And S., Inc. et al
09-60440	WI-E	Jones et al v. Acands Inc et al
09-60481	WI-E	Sienko v. Acands Inc et al
09-61333	WI-E	Nuutinen v. Acands Inc et al
09-62583	IL-N	Woods v. Cbs Corporation et al
09-64733	IN-S	Stephens v. A C And S Inc et al
10-61115	WI-E	Bennington v. Cbs Corporation et al
10-61429	WI-W	Kumferman v. Asbestos Claims Management Corporation et al
10-64567	IL-S	Collins v. Ac&S Inc et al
10-64606	IL-N	Louis v. Cbs Corporation et al
10-67443	WI-E	Ahnert et al v. Cbs Corporation et al
10-68127	IL-C	Dover v. A C & S et al
11-64036	WI-E	Svatek v. Acands Inc et al
11-66746	WI-E	Zellner v. Aw Chesterton Company et al
11-67767	IL-N	Bulanda v. Aw Chesterton Company et al
12-60003	WI-E	Jurglanis v. Borg-Warner Inc et al
12-60160	IL-N	McNair v. Borg-Warner, Inc. et al

EXHIBIT B

**Court-Ordered Discovery Requests Streamlining and Re-Organizing Discovery
(To Be Answered By Plaintiffs in CVLO Actions)**

1. Identify (a) each product that you contend caused or contributed to Plaintiff's asbestos-related illness, (b) which Defendant(s) you contend is liable for injury arising from this product, (c) the location(s) of exposure (e.g., state, city, worksite, and, if appropriate, location within the worksite), (d) the date(s) of exposure, (e) all witnesses* who will provide (or have provided) testimony regarding Defendant's liability to Plaintiff regarding that product, and (f) all other sources of evidence* on which you are relying to establish Defendant's liability to Plaintiff regarding that product. Please use the following format:

Product	Liable Defendant	Location of Exposure	Date(s) of Exposure	Fact Witnesses re: Defendant's Liability*	Expert Witnesses re: Defendant's Liability*	Other Evidence re: Defendant's Liability*
Product A	Defendant A	Worksite A, City A, State A Worksite B (Building X), City B, State B	Date A – Date B Date C – Date D	Witness A Witness B Witness C	Expert Witness A Expert Witness B Expert Witness C	Document A Document B Document C
Product B	Defendant B	Worksite C, City C, State C Worksite D, City D, State D	Date E – Date F Date G – Date H	Witness D Witness E Witness F	Expert Witness D Expert Witness E Expert Witness F	None
Product C	Defendant C	Worksite X, City X, State X Worksite Y, City Y, State Y	Date W – Date X Date Y – Date Z	Witness X Witness Y Witness Z	None	Document X Document Y Document Z

* Plaintiffs are limited to identifying only witnesses and other evidence relied upon in their oppositions to Defendants' summary judgment motions previously filed in this action. Therefore, any witness or piece of evidence not relied upon by Plaintiff in opposition to a given Defendant's previous motion for summary judgment (for example, Defendant A) may not now be identified as a witness with respect to that Defendant (i.e., Defendant A); and this is true even if that witness or piece of evidence was previously identified with respect to another Defendant (for example, Defendant B).

**Proposed Court-Ordered Discovery Requests Streamlining and Re-Organizing Discovery
(To Be Answered By Plaintiffs in CVLO Actions)**

2. For each defense raised by a Defendant in any summary judgment motion previously filed in this action (including but not limited to a statute of limitations, a statute of repose, the government contractor defense, and the sophisticated user defense), identify (a) all witnesses* who will provide (or have provided) testimony relevant to this defense and upon whose testimony you are relying to oppose the defense, and (b) all other sources of evidence* on which you are relying to oppose the defense. Please use the following format:

Defense	Defendant(s) Raising/ Asserting Defense	Fact Witnesses re: Defense*	Expert Witnesses re: Defense*	Other Evidence re: Defense*
Defense A	Defendant A	Witness A Witness B	Expert Witness A	Document A
Defense B	Defendants B & C	Witness C	Expert Witness B Expert Witness C	None
Defense C	Defendants X, Y, & Z	Witness X	None	Document X

3. Produce to Defendant(s) a copy of all evidence* identified in the final column of each of the charts you have created in response to Requests Nos. 1 and 2 above (i.e., "Other Evidence re: Defendant's Liability" and "Other Evidence re: Defense").

4. For each expert* upon whom Plaintiff intends to rely and who (a) has already been deposed in this action, or (b) is noticed for deposition by Defendant(s), produce to Defendant(s) a copy of the expert's report. Plaintiff is to provide (i) the report (as originally produced), along with (ii) any addendum containing opinions based on facts that are discovered from fact witnesses after the September 4, 2013 hearing held in this action. [Note: For experts not yet deposed, reports must be produced at least fourteen (14) days prior to the date of the scheduled deposition.]

INSTRUCTIONS FOR SERVICE AND FILING: Upon completion of these discovery requests, Plaintiffs are to serve the written responses upon Defendants by filing them on the docket of the action to which it pertains. (Plaintiffs are not to file on the docket the evidence produced.)

NO EXTENSIONS TO DEADLINE: No extensions to the deadline for these responses (as set forth by the Court) will be granted for any reason.

NO SUPPLEMENTS OR AMENDMENTS: No supplements or amendments to these responses (or the accompanying production of evidence) will be permitted for any reason.

MAILED:

ADAM MERGENTHAL	DEAN PANOS	JOEL POOLE	STEPHEN KRAVIT
ALBERT BOWER	DEMARCUS GORDON	JOHN DIXON	STEPHEN MAASSEN
BILLEE WARD	DENNIS DOBBELS	JOSEPH O'HARA	STEVEN CELBA
BRIAN FIELDS	DEVLIN SCHOOP	JOSHUA MURPHY	STEVEN SANDERS
C. KOEBELE	FRANCIS MORRISSEY	KENNETH GORENBERG	SUSAN GUNTY
CAROL PRYGROSKY	GARY SMITH	MELISSA SKILKEN	THOMAS MEYER
CLARKE GILLESPIE	J. GASS	MICHAEL CIESLEWICZ	THOMAS WILSON
DANIEL FARROLL	JACK BLOCK	PATRICK JONES	VALERIE LIPIC
DAVID BARTEL	JAMES CULHANE	R. MUTH	VANI SINGHAL
DAVID MORRIS	JAMES PECKERT	RICHARD BOLTON	W. WELSH
DAVID ROLF	JEROME KRINGS	ROBERT HALEY	WILLIAM HASSLER
			WILLIAM MCGRATH

E-MAILED:

ADAM JAGADICH	DAVID SZLANFUCHT	JOSHUA LEE	R. WILLINGHAM
AHNDREA VANDENELZE	DAVID YBARRA	KATHRYN DOWNEY	RAYMOND FOURNIE
ALLEN VAUGHAN	DEMETRA CHRISTOS	KAYCE GISINGER	RICHARD LAUTH
AMANDA SUMMERLIN	DONALD CARLSON	KENT PLOTNER	RICHARD SCHUSTER
AMIEL GROSS	DOUGLAS KING	KEVIN KNIGHT	ROBERT MCCOY
ANDREW DETHERAGE	DOUGLAS PROCHNOW	KIMBERLY SARFF	ROBERT RILEY
ANDREW ROGERS	EDWARD CASMERE	KIRK HARTLEY	ROBERT SCOTT
BASIL DISIPIO	EDWARD KENNEY	KNIGHT ANDERSON	ROBERT SPINELLI
BRADLEY BULTMAN	EDWARD MACCABE	KURTIS REEG	ROGER HEIDENREIC
BRADLEY NAHRSTADT	EDWARD MCCAMBRIDG	LANCE MUELLER	RONALD HACK
BRIAN WATSON	EMILY ZAPOTOCNY	LAURIE MCLEROY	RYAN BARKE
BRYAN SKELTON	ERIC CARLSON	MAJA EATON	SARAH MILLER
C. DOUGLAS	GEORGE KISER	MARK FELDMANN	SCOTT SIMPKINS
C. EVERT	GREGORY GOLDBERG	MARK TIVIN	SHAWN BABIUCH
CATHERINE MOHAN	GREGORY LYONS	MARTIN SCHWARTZ	SHEHZAD HASAN
CATHY MOLCHIN	HOWARD MORRIS	MARY ANN HATCH	STEVEN BARBER
CHRISTI JONES	JAMES CARTER	MARY GAY	STEVEN KIRSCH
CHRISTOPHER LARSON	JAMES HOUSE	MATTHEW FISCHER	THOMAS GILLIGAN
CHRISTOPHER P.BANASZAK	JAMES MORRISON	MICAH INLOW	THOMAS GONZALEZ
CLARE RUSH	JAMES NIQUET	MICHAEL ANTIKAINEN	THOMAS KERNELL
CRAIG LILJESTRAN	JAMES SVAJGL	MICHAEL BERGIN	THOMAS NORBY
CRAIG TURET	JAMIE YADGAROFF	MICHAEL CASCINO	THOMAS ORRIS
CURTIS BAILEY	JASON KENNEDY	MICHAEL DENNING	THOMAS SCHRIMPF
CYNTHIA LOCKE	JEFFREY FULTZ	MICHAEL DRUMKE	THOMAS TARDY
DANIEL CHEELY	JEFFREY HEBRANK	MICHAEL ROSENBERG	TIMOTHY KRIPPNER
DANIEL DONAHUE	JEFFREY SCHIEBER	MICHAEL TRUCCO	TIMOTHY PAGEL
DANIEL GRIFFIN	JENNIFER STUDEBAKER	MICHAEL ZUKOWSKI	TIMOTHY PIKE
DANIEL JARDINE	JOHN CANONI	MITCHELL MOSER	TOBIN TAYLOR
DANIEL MANNA	JOHN FONSTAD	NEAL MCQUEENEY	TREVOR WILL
DANIEL MCGRATH	JOHN HELLER	NICOLE BEHNEN	WALTER JENKINS
DANIEL MULHOLLAND	JOHN SEEBOHM	NORA GIERKE	WALTER WATKINS
DAVID FANNING	JOSEPH REJANO	PATRICK LAMB	WILLIAM CROKE
DAVID SETTER	JOSEPH SULLIVAN	PAUL O'FLAHERTY	WILLIAM MAHONEY
	JOSHUA JOHANNINGM	PETER WANNING	WILLIS TRIBLER